

**NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION**

**AGENCY:** Department of Marine Resources

**STATUTORY AUTHORITY:** 12 M.R.S.A. Sections 6172 and 6192

**RULE REPEAL AND PROMULGATION:** DMR Regulation 95.09 D, Closed Area 54-A; Beals Island, promulgated on October 6, 1980, is repealed and replaced with the following rule:

**TEXT OF RULE:** DMR Regulation 95.09 D, Closed Area No. 54-A, North End of Beals Island.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of at the north end of Beals Island. The area closed to shellfish harvest is bounded by four lines described as follows: a) on the north the Jonesport-Beals town line; b) on the south the Highest tide mark on the north end of Beals Island; c) on the west, a line beginning at the most western tip of Indian Point and running northward to the most western point of land that forms the north side of the Mill Pond. from this point the line runs true north to the town line. AND d) on the east, a line that runs true north from Perio Point to the town line. this line continues southeasterly from Perio Point to the most northeasterly tip of Aunt Elsie's Point (so called). From this point the line continues southerly to a red post located on the eastern end of The Cliff (so called).

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

**EFFECTIVE DATE:** January 11, 1995.

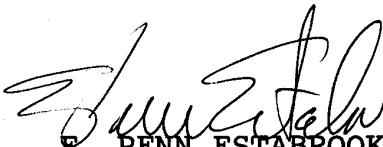
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**BANGOR DAILY NEWS**  
January 13, 1995

**STATEMENT OF FACT AND POLICY**

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.09 D, Closed Area No. 54-A, Beals Island and replaces it with a new regulation. This new regulation expands the old closure on the west side by including Mill Pond Cove.

Department personnel have determined that the Mill Pond Cove area has numerous point sources of pollution and must be closed to protect the public health.

  
E. PENN ESTABROOK  
Deputy Commissioner

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